

**REMARKS**

The Office Action addresses claims 1-36. Claims 22 and 33 stand rejected under 35 USC §101. Claims 12 and 36 stand rejected under 35 USC §112. Claims 1, 4, 10, 12, 13, 16, 35 and 36 stand rejected under 35 USC §102. The remaining claims in the application have been indicated as containing allowable subject matter. By the foregoing amendment, claims 22 and 33 are cancelled. Claims 12 and 36 are amended to overcome the rejection under 35 USC §112. Claims 11 and 34 are amended for clarity, and new claims 37 and 38 are presented for consideration. Additional claims are amended to address formal matters. No new matter is added.

The Specification is objected to for containing references to the claims throughout the Specification and for lacking appropriate title headings above each section of the Specification. In the enclosed Substitute Specification, all references to the claims have been deleted and appropriate section headings have been added. Withdrawal of the objection is respectfully requested.

Claims 22 and 33 stand rejected under 35 USC §101. Claims 22 and 33 are herein cancelled. Withdrawal of the rejection is respectfully requested.

Claims 12 and 36 stand rejected under 35 USC §112, second paragraph. By the foregoing, claims 12 and 36 are amended and the rejection is believed to be overcome. Withdrawal of the rejection and reconsideration of the claims are respectfully requested.

Claims 1, 4, 10, 12, 13, 16, 35 and 36 stand rejected under 35 USC §102(e) as being anticipated by Shibata et al. U.S. Patent Publication No. 2005/0186345. This rejection is respectfully traversed. As discussed with Examiner Bell on May 23, 2008, the instant application is a national phase application of PCT/EP2003/03085, filed March 25, 2003. Shibata et al. '345 has a U.S. filing date of February 23, 2005. The effective U.S. filing date of the instant application therefore predates the effective U.S. filing date

of Shibata et al. '345 by more than one year. Shibata et al. '345 is therefore not prior art to this application. Accordingly, withdrawal of the rejection and reconsideration of the claims are respectfully requested.

In light of the foregoing, the claims remaining in the application are believed to be in condition for allowance and early notice of allowability is courteously solicited. If necessary to further prosecution of the application, the Examiner is invited to contact the applicants' representatives listed below.

Respectfully submitted,



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Encl:       Substitute Specification  
          Tracked Version of Substitute Specification  
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